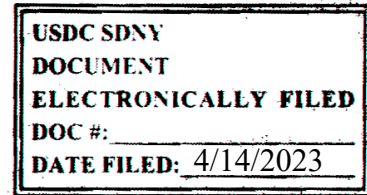


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**



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ALEXANDER NORRIS,

Plaintiff,

19-CV-05491(PAE)(SN)

-against-

ORDER

MARC GOLDNER, et al.,

Defendants.

-----X
SARAH NETBURN, United States Magistrate Judge:

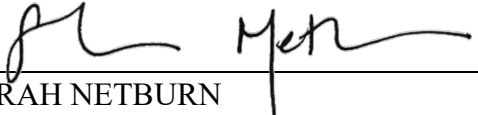
A hearing on the parties' cross-motions for summary judgment will be held on Wednesday, April 19, 2023, at 11:00 a.m. in Courtroom 219, Thurgood Marshall Courthouse, 40 Foley Square, New York, NY 10007. Counsel should be prepared to address the following issues and provide relevant citations to controlling authority:

- How the language of the August 10, 2017 Collaboration Agreement (the "Agreement") may be read by the Court to support their motion;
- Whether interpretation of the Agreement as it relates to the parties' motions is a pure question of law or requires factual determinations, and what those factual determinations, if any, are;
- Assuming, *in arguendo*, that Defendants possessed no rights to any of the material submitted in support of their applications to the U.S. Patent and Trademark Office, whether such submissions can satisfy either the "unauthorized copying" element of copyright infringement or the reproduction and false representation elements of false designation of origin;

- Whether the inclusion of the “guest artist card” featuring the “Pink Blob” in the game Pretending to Grownup constitutes use in commerce of “Webcomic Name” by Defendants sufficient to validate application no. 87703934 and subsequent registration no. 5629281; and
- To what extent the evidence demonstrates that Defendants received the “game files” from Plaintiff?

If the parties believe it would be productive, they may submit letters in advance of the hearing. The letters should be no more than three pages in length and shall be filed no later than noon on April 18, 2023.

SO ORDERED.



SARAH NETBURN
United States Magistrate Judge

DATED: April 14, 2023
New York, New York